

8th September 2026

Maritime Area Regulatory Authority,
2nd Floor, Menapia House,
Drinagh Business Park,
Drinagh, Wexford,
Y35 RF29

MOR Environmental Ref: E2068

Re: MUL LIC230013 – Request for Amendment to Specific Condition 28 – Attachment 3.3: Stage 2 - Appropriate Assessment – Natura Impact Statement

1 Introduction

This attachment intends to provide MARA with the best available scientific information to inform their Screening for Appropriate Assessment ('AA') of a proposed Material Amendment to MUL LIC230013.

This proposed Material Amendment seeks to (only) remove Specific Condition 28:

“28. Fish spawning and nursery grounds

(i) The Holder shall not undertake the Permitted Maritime Usage between 1st November and 31st January annually, to ensure least disturbance to known fish spawning along the survey route.

Reason: To ensure protection of the marine environment”

The proposed amendment does not involve any change to:

- The nature or extent of the permitted maritime usage;
- The survey methodologies or equipment;
- The location or duration of activities;
- The mitigation measures previously assessed; or,
- The project description was previously considered within the existing assessment framework for MUL LIC230013.

1.1 Statement of Authority

This document was reviewed and approved by Ms Amelia Keane, Principal Consultant – Ecologist. Amelia is a full member of the Chartered Institute of Ecology and Environmental Management ('CIEEM') and has over 7 years' experience working in the ecological consultancy sector, including habitat surveys and appraisals and special protected species surveys in support of Appropriate Assessments.

2 Specific Condition 28 - Background

As outlined in Section 6, page 19, of the Maritime Usage Licence Assessment Report, dated 29th May 2026, the inclusion of Specific Condition 28 was based on a submission issued by the Sea Fisheries Protection Authority ('SFPA').

The submission by the SFPA makes specific reference to schools of spawning stocks of sprat, herring, cod and turbot that have the potential to move through the estuary. The submission did not make reference to any fish species designated under any European sites. Therefore, SFPA's submission did not relate to Appropriate Assessment or the Habitats Directive or Annex IV species or Annex habitats.

As part of the application for MUL LIC230013, a detailed Stage 2: Appropriate Assessment – Natura Impact Statement ('NIS') report and a Supporting Information for Screening for Appropriate Assessment ('SISSA') report were submitted in support.

MARA invited the Department of Housing, Local Government and Heritage ('DHLGH') to provide an observation on the MUL LIC230013. The National Parks and Wildlife Service ('NPWS'), a division of the DHLGH, submitted a submission regarding Nature Conservation, dated 11th November 2025, that stated:

"The National Parks and Wildlife Service of the Department of Housing, Local Government and Heritage notes that the works are confined to small-scale, short-term (≈3 weeks) drilling operations conducted from a floating barge within the existing industrial port environment. On the basis of the Nature Impact Statement (NIS), and subject to full implementation of all stated mitigation and monitoring measures, the National Parks and Wildlife Service advises that the proposed geotechnical investigation is not likely to adversely affect the integrity of the Lower River Suir Special Area of Conservation (Site Code: 002137) or the River Barrow and River Nore Special Area of Conservation (Site Code: 002162), alone or in combination with other plans or projects. The National Parks and Wildlife Service further recommends that the following conditions be attached to the consent:

- 1. The licence or consent conditions explicitly require adherence to all mitigation commitments in the NIS.*
- 2. Any deviation from the described methodology or any extension in duration or intensity of works should be referred back to the National Parks and Wildlife Service for further assessment."*

3 Natura Impact Statement

The SISSA and NIS previously submitted with the MUL LIC230013 application included a detailed assessment of the qualifying interests for the European sites.

The original NIS determined that progression to Stage 2 of the Appropriate Assessment process was required. The original NIS identified the Lower River Suir Special Area of Conservation ('SAC') (Site Code: 002137) and the River Barrow and River Nore SAC (Site Code: 002162) as being within the Zone of Influence ('Zol') and requiring further screening and assessment.

Taking a precautionary principle, the original NIS identified and considered the following effects with the potential to adversely affect the conservation objectives of Lower River Suir SAC and the River Barrow and River Nore SAC:

- Potential loss of, or disturbance to designated habitats of Lower River Suir SAC and the River Barrow and River Nore SAC, including:
 - Lower River Suir SAC - Atlantic salt meadows and Mediterranean salt meadows; and,

- River Barrow and River Nore SAC – Atlantic salt meadows, Mediterranean salt meadows, estuaries, reefs, mudflats and sandflats not covered by seawater at low tide & Salicornia and other annuals colonising mud and sand.
- Potential disturbance to designated species of Lower River Suir SAC and the River Barrow and River Nore SAC, including:
 - Lower River Suir SAC: Freshwater pearl mussel, sea lamprey, brook lamprey, river lamprey, Twaite shad, Atlantic salmon and otter; and,
 - River Barrow and River Nore SAC: Freshwater pearl mussel, sea lamprey, brook lamprey, river lamprey, Twaite shad, Atlantic salmon and otter.
- Potential impairment of water quality for the Lower River Suir SAC and the River Barrow and River Nore SAC.

Detailed assessments were undertaken on the above and concluded that:

- The proposed works will not result in any direct or indirect loss or disturbance to any of the Annex I habitats;
- The proposed works will not result in any significant disturbance effects to fish based on the nature, the short duration and the localised nature of the works. Any underwater noise levels will not result in significant effects to fish, and there will be no drilling at night. Fish species in the area are already exposed to anthropogenic noise sources due to port activities. Therefore, it was predicted that the additional noise generated from the proposed site investigation works will not result in any likely and significant effects on fish;
- The proposed works will not result in any significant disturbance effects to otter following the implementation of appropriate mitigation measures;
- The proposed works will not result in any significant water quality impairment to the Lower River Suir SAC or the River Barrow and River Nore SAC, and their qualifying interests, following the implementation of appropriate mitigation measures; and,
- The proposed works will not result in any significant in-combination effects given the localised nature of the proposed works, the industrial setting of the local environment, the mitigation measures that will be put in place and the best practice guidelines which will be implemented during the proposed works.

4 Conclusions

The proposed amendment relates solely to the removal of Specific Condition 28. The proposed amendment does not introduce any new impact pathway, does not materially alter the conclusions of the existing NIS, and does not give rise to new or materially different likely significant effects on any European site, either alone or in combination with other plans or projects, in view of the conservation objectives of those sites.

On this basis, the conclusion of the original NIS remain valid. It was concluded, therefore, that avoidance, design requirements and mitigation measures set out within the original NIS and the effective implementation of these mitigation measures will ensure that the proposed works will have no adverse effects on the integrity of any European sites, having regard to their conservation objectives.

Therefore, it is submitted that MARA may determine that Appropriate Assessment is not required for the proposed removal of Condition 28.